

PHILLIP A. TALBERT
United States Attorney
DAVID W. SPENCER
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AURELIA AYON GUERRERO,

Defendant.

CASE NO. 2:22-CR-00178-TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: July 27, 2023
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant Aurelia Ayon Guerrero, by and through her counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on July 27, 2023.
2. By this stipulation, defendant now moves to continue the status conference until October 5, 2023, at 9:30 a.m., and to exclude time between July 27, 2023, and October 5, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes approximately 3,398 pages of documents, including investigative reports, text messages, transcripts of recorded communications, and other materials, as well as multiple undercover video and audio recordings. All of this discovery has been produced to counsel for defendant.

b) Defendant Ayon Guerrero made her initial appearance in this district on April 20, 2023, based on charges contained in a criminal complaint.

c) Counsel for defendant desires additional time to review the discovery, to conduct factual investigation, to evaluate potential responses to the charges, to confer with his client, and to otherwise prepare for trial.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 27, 2023 to October 5, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 25, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

1 Dated: July 25, 2023

/s/ CLEMENTE JIMENEZ

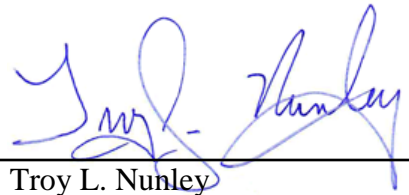
CLEMENTE JIMENEZ

Counsel for Defendant

AURELIA AYON GUERRERO

6 **ORDER**

7 IT IS SO FOUND AND ORDERED this 25th day of July, 2023.

8
9
10 

11 Troy L. Nunley
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28